

JOE STEVEN McCLENTON, #240 601,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 2:16-CV-884-ALB
)
 STATE OF ALABAMA, *et al.*,)
)
 Defendants.)

On November 22, 2019, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. 27). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

1. The motion to dismiss filed by Defendant Nalls (Doc. 18) is GRANTED to the extent Defendant Nalls seeks dismissal of this case due to Plaintiff's failure to properly exhaust an institutional administrative remedy prior to filing this case.

3. This case against Defendant State of Alabama is DISMISSED with prejudice under 28 § 1915A(b)(1).

A final judgment will be entered separately.

DONE this 10th day of January 2020.

/s/ Andrew L. Brasher
ANDREW L. BRASHER
UNITED STATES DISTRICT JUDGE